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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/567,651

02/09/2006

Koji Kimura

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5514 7590 05/19/2009  
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EXAMINER

BLOUIN, MARK S

ART UNIT

PAPER NUMBER

2627

MAIL DATE

DELIVERY MODE

05/19/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                      |                                     |  |
|------------------------------|--------------------------------------|-------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/567,651 | <b>Applicant(s)</b><br>KIMURA, KOJI |  |
|                              | <b>Examiner</b><br>MARK BLOUIN       | <b>Art Unit</b><br>2627             |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/9/06, 4/24/06, 5/24/06, 4/4/07, 3/26/08</u> . | 6) <input type="checkbox"/> Other: ____.  |



## **Detailed Action**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Kurita (US 7,275,963).
3. Regarding Claims 1,4,15,16,18, and 19, Kurita shows (Figs. 1-37) a storage device comprising a cartridge (100,200) having a storage medium and a holder portion (37) in which said cartridge is detachably loaded, said holder portion being capable of being loaded with a plurality of types of cartridges having different lengths in an inserting/removing direction, wherein said holder portion includes: a locking portion (32) which is disposed at a first distance in the inserting/removing direction of said cartridge from an insertion port of said cartridge, and releasably locks said cartridge, and a positioning member which is provided to be movable in the inserting/removing direction of said cartridge, and determines a leading end position in an inserting direction of said cartridge, and said cartridge includes an engaging portion (110,210) which is disposed at a second distance in the inserting/removing direction of said cartridge from a trailing end in the inserting direction of said cartridge, and engages with said locking portion, the second distance being common among said plurality of types of cartridges.

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4. Regarding Claim 2, Kurita shows (Figs. 1-37) the storage device, wherein the first (210) and second distances (110) are substantially the same.

5. Regarding Claim 3, Kurita shows (Figs. 1-37) the storage device, further comprising an elastic member (36) which constantly biases said positioning member toward the insertion port of said cartridge.

6. Regarding Claim 5 and 6, Kurita shows (Figs. 1-37) the storage device, wherein said cartridge includes a first electrical connecting portion (102,202) at said leading end portion in the inserting direction thereof, and said holder portion has a second electrical connecting portion (35) which is arranged at said positioning member and is connected to said first electrical connecting portion.

7. Regarding Claims 7 and 8, Kurita shows (Figs. 1-37) the storage device, wherein said cartridge has a guide groove (111) extending in the inserting/removing direction thereof, and said holder portion has a guide piece (27a) which engages with the guide groove.

8. Regarding Claims 9 and 10, Kurita shows (Figs. 1-37) the storage device, wherein said engaging portion (27a) is a groove intersecting the guide groove (111).

9. Regarding Claims 11 and 12, Kurita shows (Figs. 1-37) the storage device, wherein the storage device (37) is an external storage device for a computer.

10. Regarding Claims 13 and 14, Kurita shows (Figs. 1-37) the storage device, wherein the storage device is a storage device (37) incorporated in a computer.

11. Regarding Claim 17, Kurita shows (Figs. 1-37) the cartridge manufacturing method, wherein the plurality of types of cartridges include a first cartridge (200), and a second cartridge (100) which is longer than the first cartridge in the inserting/removing direction and has first and

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second engaging portions as the engaging portion regarding the first cartridge, the engaging portion is provided at a first distance from one end portion of the first cartridge and at a second distance from the other end of the first cartridge, and regarding the second cartridge, the first engaging portion is provided at the first distance from one end portion of the second cartridge, and the second engaging portion is provided at the second distance from the other end portion of the second cartridge.

### ***Conclusion***

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Blouin whose telephone number is 571-272-7583. The examiner can normally be reached on M-F from 6:00 to 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Joe Feild, can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Mark Blouin/

Primary Examiner of Art Unit 2627

Mark Blouin  
Patent Examiner

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May 18, 2009